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GOTTLIEB, RACKMAN & REISMAN, P.C.

270 Madison Avenue, 8th Floor

New York, New York 10016-0601

Telephone: (212) 684-3900

Fax: (212) 684-3999

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NOV 13 2001

FACSIMILE COVER SHEET

PETITIONS OFFICE

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TO: Office of Petitions**COMPANY:** United States Patent and Trademark Office**TELEFAX NO.:** 703 308 6916**TELEPHONE NO.:** 703 305 9285**FROM:** Tiberiu WEISZ, Esq.

We are sending a communication of 18 page(s) (including this cover sheet). Please call (212) 684-3900 immediately if transmission is interrupted or of poor quality.

November 13, 2001

Your Ref No.: 09/767,027

Our Ref. No.: 3486-024 DIV III

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 61.8

I hereby certify that this correspondence is being facsimile transmitted to Office of Petitions, at Fax 703 308 6916, Assistant Commissioner for Patents, Washington, DC 20231 on 11/13/2001.


Belinda Hunter

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NOV 13 2001

PTO/SB/21 (6-98)

Please type a plus sign (+) inside this box →

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

Application Number

09/767.027

Filing Date

January 22, 2001

First Named Inventor

HOCHMAN, Mark N

Group Art Unit

3783

Examiner Name

To Be Assigned

Attorney Docket Number

3486-024 DIV III

ENCLOSURES (check all that apply)

Fee Transmittal Form
 Fee Attached
 Amendment / Response
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Response to Missing Parts/ Incomplete Application
 Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers (for an Application)
 Drawing(s)
 Licensing-related Papers
 Petition Routing Slip (PTO/SB/69) and Accompanying Petition
 Petition to Convert to a Provisional Application
 Power of Attorney, Revocation Change of Correspondence Address
 Terminal Disclaimer
 Small Entity Statement
 Request for Refund

After Allowance Communication to Group
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Additional Enclosure(s) (please identify below):
 Return Receipt Postcard;

Remarks



22440

PATENT TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	GOTTLIEB RACKMAN & REISMAN PC Tiberiu WEISZ Reg. No. 29,876
-------------------------	--

Signature

Date November 13, 2001

CERTIFICATE OF MAILING

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Typed or printed name

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Date

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 557)

Complete If Known

Application Number	09/767,027
Filing Date	January 22, 2001
First Named Inventor	HOCHMAN, Mark N
Examiner Name	To Be Assigned
Group Art Unit	3763
Attorney Docket No.	3486-024 DIV III

PETITIONS OFFICE

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 07-1730

Deposit Account Name Gottlieb Rackman & Reisman PC

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

 Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355 Utility filing fee	355
106	320	206 160 Design filing fee	
107	490	207 245 Plant filing fee	
108	710	208 355 Reissue filing fee	
114	150	214 75 Provisional filing fee	

SUBTOTAL (1) (\$ 355)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
23	-20** = 3	x 9	= 27
Independent Claims	3	-3** = 0	x = 0
Multiple Dependent			

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	80	209 40 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 27)

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	65
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	55
116	390	218 185 Extension for reply within second month	
117	880	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,680	228 945 Extension for reply within fifth month	
119	310	219 165 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	55
141	1,240	241 620 Petition to revive - unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Petitions related to provisional applications	
126	240	128 240 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	710	246 365 Filing a submission after final rejection (37 CFR § 1.128(a))	
149	710	249 365 For each additional invention to be examined (37 CFR § 1.128(b))	
17B	710	270 355 Request for Continued Examination (RCE)	
169	900	189 900 Request for expedited examination of a design application	
Other fee (specify) _____			

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 175)

SUBMITTED BY

Name (Print/Type)	WEISZ, Tibor	Registration No. (Attorney/Agent)	29,878	Telephone	212 684 3900
Signature				Date	November 13, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC, 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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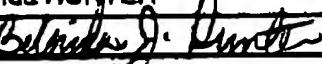
TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/767.027
Filing Date	January 22, 2001
First Named Inventor	HOCHMAN, Mark N
Group Art Unit	3763
Examiner Name	To Be Assigned
Total Number of Pages in This Submission	10
Attorney Docket Number	3486-024 DIV3

ENCLOSURES (check all that apply)	
<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (for an Application)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	FAX RECEIVED NOV 13 2001 PETITIONS OFFICE

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	GOTTLIEB RACKMAN & REISMAN PC Tiberiu WEISZ Reg. No. 29,876
Signature	
Date	June 29, 2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 06.29.2001	
Typed or printed name	Bellinda HUNTER
Signature	
Date	June 29, 2001

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Date June 20, 2001 Att'y JR/TW/BEL

Client/Matter (Docket) No. 3486/24 DIV3 Case No.

Title or Description of Enclosures Trans. Form Cvr. Sht.; Sec. Req. Not. File
Miss. Prts. and Req. Corr. (Prelim) Filing Rec.; Not. File Missing
Prt. Non-Prov. 2 pgs; Record. Form Cvr. Sht. in dupl. 2 pgs;
Assgn. 2 pgs.; Check \$40.

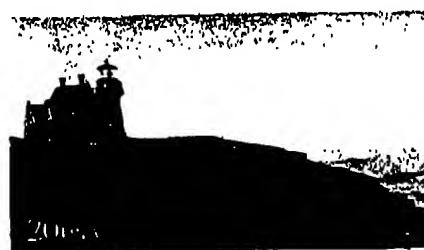
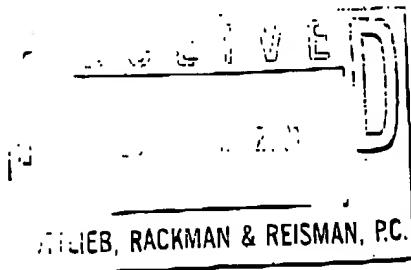
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**Gottlieb, Rackman & Reisman, P.C.
270 Madison Avenue - 8th Floor
New York, New York 10016-0601**

Attention: Docketing

573

Attorney Docket N :3486-024 DIV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HOCHMAN, Mark N

Serial No. : 09/767,027
(this is a divisional of parent application 09/201,464)

Filing Date : January 22, 2001

Title : DRUG DELIVERY SYSTEM WITH PROFILES

Examiner : To Be Assigned

Group Art Unit : 3763

June 20, 2001

Box Missing Parts

Assistant Commissioner for Patents
Washington, D.C. 20231

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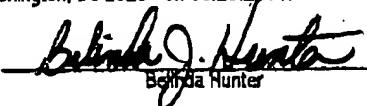
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Bethinda HunterSECOND RESPONSE TO NOTICE TO FILE MISSING PARTS
AND REQUEST FOR CORRECTED (PRELIMINARY) FILING RECEIPT

SIR:

At the time of filing the above-identified patent application on January 22, 2001, applicant enclosed therewith a *Fee Transmittal For FY 2001* (form PTO/SB/17) authorizing the Commissioner to charge the small entity fees indicated therein to Deposit Account No. 07-1730. At that same time, applicant did assert entitlement to small entity status on the *Utility Patent Application Transmittal* (form PTO/SB/05) at item 2. Further, the initial submission at the time of filing included a *Declaration and Power of Attorney* duly signed by all inventors in this case. It is hereby reasoned that the declaration was not filed late and therefore a surcharge in the small

entity amount of \$65.00 is not now due.

In view of the above facts, Applicant hereby requests that the USPTO please charge to Deposit Account No. 07-1730 the outstanding filing fees totaling the small entity amount of \$382 as originally authorized at the time of filing this application. For the convenience of the USPTO, the *Fee Transmittal For FY 2001 (form PTO/SB/17)* was submitted in duplicate.

REQUEST FOR CORRECTED (PRELIMINARY) FILING RECEIPT

It is hereby requested that the USPTO correct the Attorney Docket No. to 3486-024 DIV3 as indicated in red on the marked up true copy of the preliminary filing receipt attached hereto prior to issuing the official filing receipt.

Dated: June 20, 2001
New York, New York

Respectfully submitted,

GOTTLIEB RACKMAN & REISMAN PC
Attorneys for Applicant
270 Madison Avenue
New York, New York 10016-0601
Telephone: 212/684-3900
Telefax: 212/684-3999

By: 
Tiberiu WEISZ
Reg. No. 29,876

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/767,027	01/22/2001	Mark Hochman	3486-025 DT-7 3486-024 DT-6

CONFIRMATION NO. 3318

22440
 GOTTLIEB RACKMAN & REISMAN PC
 270 MADISON AVENUE
 8TH FLOOR
 NEW YORK, NY 100160601

FORMALITIES LETTER



OC000000006098588

COPY

Date Mailed: 05/21/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FAX RECEIVED

FILED UNDER 37 CFR 1.53(b)

NOV 13 2001

Filing Date Granted

PETITIONS OFFICE

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$27.
 ■ \$27 for 3 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 447.

A copy of this notice MUST be returned with the reply.

Customer Service Center
 Initial Patent Examination Division (703) 308-1202
 PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

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 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY/DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/767,027	01/22/2001	3783	0.00	3486-023 DIV2	17	23	3

CONFIRMATION NO. 3318

22440
 GOTTLIEB RACKMAN & REISMAN PC
 270 MADISON AVENUE
 8TH FLOOR
 NEW YORK, NY 100160801

3486-023
DN3

FILING RECEIPT



0000000005899348

COPY

Date Mailed: 03/26/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

- Mark Hochman, Lake Success, NY;
- Claudia Hochman, Lake Success, NY;
- Angelo Ascione, Woodbridge, NJ;
- Lawrence Brown, Enola, PA;
- Hardie Johnson, Enola, PA;
- Michelle Lockwood, Mechanicsburg, PA;

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NOV 13 2001

PETITIONS OFFICE

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A DIV OF 09/201,464 11/30/1998 PAT 6,200,289
 AND CLAIMS BENEFIT OF 60/081,388 04/10/1998

Foreign Applications

If Required, Foreign Filing License Granted 03/23/2001

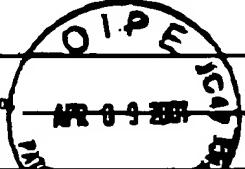
Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

" SMALL ENTITY "

Date 4-6-2001 Atty JR/TW/belRe: EDCEMAN, Mark N: DRUG DELIVERY SYSTEM WITH PROFILES

COPY 

Serial/Matter (Docket) No. 3486-024 DIV III Case No. APR 6 2001

S/N 09/767,027 R/N P/N

Title or Description of Enclosures Transmittal-1pp; Response-1pp; Notice to File Missing Parts-2pp; Copy of Notice-1pp;

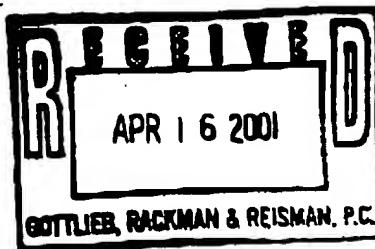
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Gottlieb, Rackman & Reisman, P.C.

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270 Madison Avenue - 8th Floor
New York, New York 10016-0601

Attention: Docketing

-87-5 - - - - -

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

09/767.027

Filing Date

January 22, 2001

First Named Inventor

HOCHMAN, Mark N

Group/Art Unit

3763

Examiner Name

To Be Assigned

Attorney Docket Number

3486-024 DIV3

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return Receipt Postcard;
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual nameGOTTLIEB RACKMAN & REISMAN PC
Tiberiu WEJSZ Reg. No. 29,876

Signature



Date

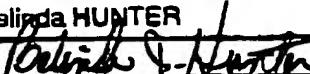
April 6, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 04.06.2001

Typed or printed name Belinda HUNTER

Signature



Date

April 6, 2001

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Attorney Docket No.:3486-024 DIV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HOCHMAN, Mark N

Serial No. : 09/767,027
(this is a divisional of parent application 09/201,463)

Filing Date : January 22, 2001

Title : DRUG DELIVERY SYSTEM WITH PROFILES

Examiner : To Be Assigned

Group Art Unit : 3763

COPY

April 6, 2001

Assistant Commissioner for Patents
Attention: OIPE - Customer Service Center
Washington, D.C. 20231

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Brenda Hunter

RESPONSE TO NOTICE TO FILE MISSING PARTS

SIR:

At the time of filing the above-identified patent application on January 22, 2001, the

USPTO overlooked applicants claim of small entity status on the *Utility Patent Application*

Transmittal (form PTO/SB/05) at item 2.

Applicant by his undersigned attorneys hereby claim entitlement to small entity status under 37 CFR §1.27. Therefore, it is believed that the total outstanding balance of \$427 as indicated on the *Notice to File Missing Parts* is not now due.

Dated: April 6, 2001
New York, New York

Respectfully submitted,

GOTTLIEB RACKMAN & REISMAN PC
Attorneys for Applicant
270 Madison Avenue
New York, New York 10016-0601
Telephone: 212/684-3900
Telefax: 212/684-3999

By: 

Tibor WETSZ

Reg. No. 29,876

S:\balinda\applicants\parts\mileszone1348824d\iv3.wpd



UNITED STATES PATENT AND TRADEMARK OFFICE

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 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/767,027	01/22/2001	Mark Hochman	3486-027 DIV

22440
 GOTTLIEB RACKMAN & REISMAN PC
 270 MADISON AVENUE
 8TH FLOOR
 NEW YORK, NY 100160601

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NOV 13 2001

PETITIONS OFFICE

COPY

CONFIRMATION NO. 3318

FORMALITIES LETTER

 0000000005899349

Date Mailed: 03/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$27.
 - \$27 for 3 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$85 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 447.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE